

### **REMARKS**

Prior to entry of this paper, Claims 1-62 were pending. Claims 31-40 were allowed. Claims 17, 22, and 24 were objected to, but would be allowable if rewritten in independent for. In this paper, Claims 11, 14, 20, and 21 are amended. Claims 1-10, 12, 13, 17, 22, and 41-62 are cancelled. Claims 11, 14-16, 18-21, and 23-40 are currently pending. No new matter is added by way of this amendment. For at least the following reasons, Applicant respectfully submits that each of the presently pending claims is in condition for allowance.

#### **Claim Rejections – 35 U.S.C. § 101**

Claim 20 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Applicant has amended claim 20 to clarify it as an article of manufacture in the form of a machine readable medium encoding instructions. Support is found throughout the specification, including page 3, para 1015 and page 14, para. 1049.

#### **Claim Rejections – 35 U.S.C. § 102**

##### **Rejections under 102(b) by Wang**

Claims 1-5, 10, 41-45, 48, and 49 are rejected under 35 U.S.C. 102(b) as being anticipated by Wang et al. (USPN: 5,715,428). Wang is directed to “maintaining coherency in a computer system having multiple caching agents.” Wang, col. 1, lines 14-15. To expedite issuance of allowed and allowable claims, without conceding any limitation to the scope of the invention, and subject to Applicant’s right to file a continuing application, Applicant has cancelled the rejected claims.

##### **Rejections under 102(e) by Gupta**

Claims 21, 26, 28, 53, 55, 57, and 58 are rejected under 35 U.S.C. 102(e) as being anticipated by Gupta (USPN: 6,604,116). Gupta is directed to a memory controller “connected between at least one bus and a memory, with the bus connect to at least two processors. . . to

### **Claim Rejections – 35 U.S.C. § 103**

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indicated above, independent claim 11 is amended to include the limitations of claim 17 and its predecessors, claims 13 and 12. Because dependent claim 19 depends from independent claim 11, Applicant respectfully requests that the rejection of dependent claim 19 under 35 U.S.C. 103(a) be withdrawn.

Rejections under 103(a) over Gupta in view of Wang

Claims 23, 25 and 61-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta in view of Wang et al. To expedite issuance of allowed and allowable claims, without conceding any limitation to the scope of the invention, and subject to Applicant's right to file a continuing application, Applicant has cancelled claims 61 and 62. Dependent claims 23 and 25 depend from amended independent claim 21, which now includes the limitations of allowable claim 22. Accordingly, Applicant respectfully requests that the rejection of dependent claims 23 and 25 under 35 U.S.C. 103(a) be withdrawn.

Rejections under 103 over Gupta in view of Hoover

Claims 56 and 59 are rejected under 35 U.S.C. 102(e) as being anticipated by Gupta (USPN: 6,604,116) in view of Hoover et al. (USPN: 5,805,837). Applicant notes that the OA specifies 102(e) as the basis of the rejections, but argues obviousness based on two references. Applicant presumes that it was intended for the OA to specify 103 rejections, not 102 rejections. In any case, to expedite issuance of allowed and allowable claims, without conceding any limitation to the scope of the invention, and subject to Applicant's right to file a continuing application, Applicant has cancelled claims 56 and 59.

Rejections under 103 over Gupta in view of Abramson

Claims 27, 54 and 58 are rejected under 35 U.S.C. 102(e) as being anticipated by Gupta in view of Abramson et al. (USPN: 5,751,983). Abramson is directed to "speculatively dispatching and/or executing LOAD operations in the memory subsystem of a computer

Dependent claim 27 depends from amended independent claim 21, which now includes the limitations of allowable claim 22. Accordingly, Applicant respectfully requests that the rejection of dependent claim 27 under 35 U.S.C. 103 be withdrawn.

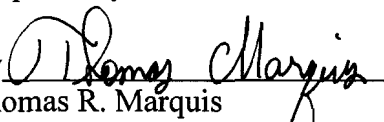
Claims 51 and 52 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang in view of Abramson et al. Applicant once again notes that the OA specifies 102(e) as the basis of the rejections, but argues obviousness based on two references. Applicant presumes that it was intended for the OA to specify 103 rejections, not 102 rejections. In any case, to expedite issuance of allowed and allowable claims, without conceding any limitation to the scope of the invention, and subject to Applicant's right to file a continuing application, Applicant has cancelled claims 51 and 52.

**CONCLUSION**

It is respectfully submitted that each of the presently pending claims (Claims 11, 14-16, 18-21, and 23-40) are in condition for allowance and notification to that effect is requested. Examiner is invited to contact the Applicants' representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby. Although only certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentable. Applicant reserves the right to raise these arguments in the future.

Dated: March 27, 2007

Respectfully submitted,

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